

IN THE CLAIMS:

Please amend Claims 1, 7 and 8 as follows:

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1. (Currently Amended) An encoding apparatus for variable length packetizing variable-length encoding image data using by a packet format in which a header of a packet has [[an]] a code area indicating the length of the packet and the range of values indicating the value of [[the]] packet length is limited, wherein ^{the} said code area describes a code indicating a packet length in ^{a where} case ~~that~~ the packet length is less than or equal to a predetermined value, and describes a code indicating not to decide a packet length in ^{a where} case the packet length is larger than the predetermined value, comprising:

- a) inputting means for inputting variable-length encoding image data which includes a picture header indicating the start of one picture;
- b) header detecting means for detecting the picture header input by said inputting means;
- c) data length detecting means for detecting whether a data length of variable length encoding image data for one picture frame input by said inputting means reaches ^{the} a predetermined value, wherein the predetermined value is less than or equal to a maximum value of the packet length which can be specified in the header code area; and
- d) packetizing means for variable-length packetizing the variable-length encoding image data in accordance with output of said header detecting means and said data length detecting means,

wherein said packetizing means divides ^{the one frame} into ^{the} said predetermined value and performs packetizing in ^{the where the} case the data length of variable-length encoding image data of ^{the} one frame is larger than ^{the} said predetermined value, and performs packetizing without dividing ^{the} said variable-length encoding image data in ^{the where} case the data length of variable length encoding image data of ^{the} one frame is ^{less} lower than the predetermined value.

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2. (Previously Presented) An encoding apparatus according to Claim 1, wherein said packetizing means generates a PES packet corresponding to data conforming to an MPEG system from the variable-length encoding image data.

3. (Original) An encoding apparatus according to Claim 2, further comprising second packetizing means for applying second packetization to packet data packetized by said packetizing means, by a predetermined data length.

4. (Original) An encoding apparatus according to Claim 3, wherein a packet generated by said second packetizing means is a TS packet.

5. (Original) An encoding apparatus according to Claim 4, further comprising pickup means for capturing an image of an object and for generating image data; and

encoding means for applying variable-length encoding to the image data.

6. (Previously Presented) An encoding apparatus according to Claim 1, further comprising recording means for recording the variable-length encoding image data packetized by said packetizing means into a recording medium.

7. (Currently Amended) An encoding method for variable-length packetizing variable-length encoding image data ~~using~~ by a packet format in which a header of a packet has ~~[[an]]~~ a code area indicating the length of the packet and the range of values indicating a value of ~~[[the]]~~ packet length, wherein ^{the} ~~said~~ code area describes a code indicating a packet length in ^{a where} ~~case~~ the packet length is less than or equal to a

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value, and describes a code indicating not to decide a packet length in ^{where} case ^{the} the packet length is larger than the predetermined value comprising the steps of:

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inputting variable-length encoding image data which includes a picture header indicating the start of one picture;

a first detecting step of detecting the picture header input in said inputting step;

a second detecting step of detecting whether a data length of variable length encoding image data for one picture frame input in said inputting step reaches ^{the} a predetermined value, the predetermined value being less than or equal to a maximum value of the packet length which can be specified in the header code area; and

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variable-length packetizing the variable-length encoding image data in accordance with ~~the results~~ an output of said first and second detecting steps,

wherein the variable length packetizing divides ^{the one frame} into ^{the} said predetermined value ^{the where} and performs packetizing ^{the} in case ^{the} the data length of variable-length encoding image data of ^{the} one frame is larger than ^{the} said predetermined value, and performs packetizing without dividing ^{the} said variable-length encoding image data in ^{the where} case ^{the} the data length of variable length encoding image data of ^{the} one frame is ^{less} lower than the predetermined value.

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8. (Currently Amended) A recording medium which can be read by a computer and which records a program for variable-length packetizing variable-length encoding image data ~~using~~ by a packet format in which a header of a packet has ~~[[an]]~~ a code area indicating the length of the packet and the range of values indicating a value of ~~[[the]]~~ packet length is limited, wherein ^{the} said code area describes a code indicating a packet length in ^{a where} case ^{the} the packet length is less than or equal to a predetermined value, and describes a code indicating not to decide a packet length in ^{where} case ^{the} the packet length is larger than the predetermined value, the program comprising codes to perform:

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input processing for inputting variable-length encoding image data which includes a picture header indicating the start of one picture;

first detection processing for detecting the picture header input by said input processing;

second detection processing for detecting whether a data length of variable-length encoding image data for one picture frame input by said input processing reaches ^{the} a predetermined value, the predetermined value being less than or equal to a maximum value of the packet length which can be specified in the header; and

packetizing processing for variable-length packetizing the variable-length encoding image data in accordance with output of said first and second detection processing,

wherein said packetizing processing divides ^{the one frame} into ^{the} said predetermined value and performs packetizing ^{the whole} in case ^{the} the data length of variable-length encoding image data of ^{the} one frame is larger than ^{the} said predetermined value, and performs packetizing without dividing ^{the} said ^{the whole} variable-length encoding image data in ^{the whole} case ^{the} the data length of variable length encoding image data of ^{the} one frame is ^{less} lower than the predetermined value.

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